



# Planning Committee

Wed 29 Apr  
2015  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

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# Access to Information - Your Rights

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The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
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- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its, Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:**

**Janice Smyth**  
**Democratic Services Officer**  
**Town Hall, Walter Stranz Square, Redditch, B98 8AH**  
**Tel: (01527) 64252 Ext. 3266**  
**e.mail: [janice.smyth@bromsgroveandredditch.gov.uk](mailto:janice.smyth@bromsgroveandredditch.gov.uk)**

# **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

## **GUIDANCE ON PUBLIC** **SPEAKING**

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The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair) as summarised below:

in accordance with the running order detailed in this agenda and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Public Speaking - in the following order:-
  - a) Objectors to speak on the application;
  - b) Supporters to speak on the application;
  - c) Ward Councillors
  - c) Applicant (or representative) to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team (by 12 noon on the day of the meeting) and invited to the table or lectern.

- Each individual speaker will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair. (Please press button on “conference unit” to activate microphone.)
  - Each group of supporters or objectors with a common interest will have up to a maximum of 10 minutes to speak, subject to the discretion of the Chair.
  - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 4) Members’ questions to the Officers and formal debate / determination.

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**Notes:**

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.3, the County Structure Plan (comprising the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) Members of the public are now able to record all or part of this meeting either by making an audio recording, taking photographs, filming or making notes. The exception to this involves exempt / confidential information to be considered, when members of the public may be excluded from the meeting, the reason(s) for which will be defined in the Exclusion of the Public item on the Planning Committee Agenda.

An area of the Council Chamber has been set aside next to the Press for any members of the public who wish to do this. The Council asks that any recording of the meeting is done from this area to avoid disrupting the proceedings. Members of the public should now be aware that they may be filmed or recorded during the course of the meeting.

- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 64252 Extn. 3266 by 12 noon on the day of the meeting.

**Further assistance:**

If you require any further assistance prior to the meeting, please contact the Democratic Services Officer (indicated at the foot of the inside front cover), Head of Legal, Equalities and Democratic Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair.

The Chair’s place is at the front left-hand corner of the Committee table as viewed from the Public Gallery.

# Welcome to today's meeting.

## Guidance for the Public

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### ***Agenda Papers***

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### ***Chair***

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair are the Legal and Democratic Services Officers who give advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### ***Running Order***

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

***Refreshments*** : tea, coffee and water are normally available at meetings - please serve yourself.

### ***Decisions***

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

### ***Members of the Public***

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Democratic Services Officer.

### ***Special Arrangements***

If you have any particular needs, please contact the Democratic Services Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

### ***Further Information***

If you require any further information, please contact the Democratic Services Officer (see foot of page opposite).

### ***Fire/ Emergency instructions***

**If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.**

**If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.**

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

**Do Not re-enter the building until told to do so.**

**The emergency Assembly Area is on Walter Stranz Square.**





# PLANNING

## Committee

Wednesday, 29 April 2015

7.00 pm

Council Chamber Town Hall

### Agenda

#### Membership:

Cllrs: Andrew Fry (Chair)      Wanda King  
 Alan Mason (Vice-      Yvonne Smith  
 Chair)      David Thain  
 Joe Baker      Nina Wood-Ford  
 Roger Bennett  
 Andrew Brazier

<p><b>1. Apologies</b></p>	<p>To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.</p>
<p><b>2. Declarations of Interest</b></p>	<p>To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.</p>
<p><b>3. Confirmation of Minutes</b> (Pages 1 - 6)</p>	<p>To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 11<sup>th</sup> April 2015.  (Minutes attached)</p>
<p><b>4. Application 2014/157/FUL - Land opposite Tan House Farm, off Studley Road, Park Farm, Redditch</b>  (Pages 7 - 18)  Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for the erection of 10 residential dwellings consisting of 4 x 2 bedroom, 3 x 3 bedroom, and 3 x 4 bedroom units.  Applicant: Mr Carl Lovell  (Report attached – Site Plan under separate cover)  <b>(Greenlands Ward)</b></p>
<p><b>5. Application 2014/298/FUL and Listed Building Consent Application 2014/299/LBC - 40 Chestnut Road, Astwood Bank, ~Redditch B96 6AE</b>  (Pages 19 - 26)  Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application and Listed Building Consent Application for the conversion of an existing dwelling to 2 no. 3 bedroom flats.  Applicant: Mr and Mrs Robert and Gail Head  (Report attached – Site Plan under separate cover)  <b>(Astwood Bank &amp; Feckenham Ward)</b></p>

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<p><b>6. Application 2015/042/FUL - Land off Dixon Close, Enfield, Redditch</b></p> <p>(Pages 27 - 40)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for 35 no. 2, 3 and 4 bedroom houses, 8 no. 1 bedroom apartments and 1 no. 2 bedroom bungalow (substitution of some house types approved under 2013/289/FUL).</p> <p>Applicant: Mr Nick Laight</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Abbey Ward)</b></p>
<p><b>7. Application 2015/073/S73 - Unit 9 Matchborough Centre, Matchborough Way, Matchborough, Redditch</b></p> <p>(Pages 41 - 48)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider an application for the removal of Condition 2 of Planning Approval 2010/244/COU, to allow wholly A5 (Hot Food Takeaway) consent and to allow all types of hot food to be sold on the site for consumption off the premises.</p> <p>Applicant: Mr Mehdi Kalateh</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Matchborough Ward)</b></p>
<p><b>8. Application 2015/077/FUL - 43 Kenchester Close, Matchborough East, Redditch, B98 0BT</b></p> <p>(Pages 49 - 52)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider a Planning Application for a side garage extension and enlarged front porch.</p> <p>Applicant: Mrs C Shinnie</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Matchborough Ward)</b></p>
<p><b>9. Applications 2015/099/COUPRO and 2015/100/FUL - Threadneedle House, Alcester Street, Town Centre, Redditch B98 8AJ</b></p> <p>(Pages 53 - 62)</p> <p>Ruth Bamford, Head of Planning and Regeneration</p>	<p>To consider Prior Approval for a change of use from Offices (Class B1(a)) to residential (Class C3) to create 37 dwellings, not including the former Barclays GF or the Post Office elements of the building and to consider a Planning Application for full planning permission for the change of use of the former Barclays (Class A2) to residential (Class C3) to create 5 dwellings; infill rooftop development to create 4 residential units; external alterations to the whole building to facilitate residential conversion, not including the Post Office element of the buildings.</p> <p>Applicant: Casper Developments Ltd</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Abbey Ward)</b></p>



## 10. Exclusion of the Public

During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:

**“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.**

These paragraphs are as follows:

subject to the “public interest” test, information relating to:

- Para 1 - any individual;
- Para 2 - the identity of any individual;
- Para 3 - financial or business affairs;
- Para 4 - labour relations matters;
- Para 5 - legal professional privilege;
- Para 6 - a notice, order or direction;
- Para 7 - the prevention, investigation or prosecution of crime;

may need to be considered as “exempt”.

## 11. Confidential Matters (if any)

To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)





# Planning Committee

8<sup>th</sup> April 2015

## MINUTES

### Present:

Councillor Andrew Fry (Chair), Councillor Alan Mason (Vice-Chair) and Councillors Joe Baker, Roger Bennett, Andrew Brazier, Wanda King, Jane Potter (substituting for Councillor David Thain), Yvonne Smith and Nina Wood-Ford

### Officers:

Amar Hussain, Ailith Rutt and Sharron Williams

### Democratic Services Officer:

Jan Smyth

### 82. APOLOGIES

An apology for absence was received on behalf of Councillor David Thain.

### 83. DECLARATIONS OF INTEREST

No declarations of interest were made.

### 84. CONFIRMATION OF MINUTES

**RESOLVED that**

**the minutes of the meeting of the Planning Committee held on 11<sup>th</sup> March 2015 be confirmed as a correct record and signed by the Chair.**

### 85. UPDATE REPORTS

The printed Update Reports relating to the various Planning Applications were noted. Members also noted that the site plan provided in their Plan Pack in relation to Planning Application 2015/035/RM – land opposite The Foxlydiate, Birchfield Road, Redditch was slightly incorrect. A copy of the correct Plan, as submitted by the Applicant and as referenced during the Officer's presentation, was tabled at the meeting for clarification.

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Chair

# Planning Committee

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**86. PLANNING APPLICATION 2014/349/FUL –  
FEVER, 12 MARKET PLACE, TOWN CENTRE,  
REDDITCH, B98 8AA**

Change of Use of part of first floor offices into  
late night bar, to be incorporated into existing bar

Applicant: Mr Nigel Blair

Mr Nigel Blair, the Applicant, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informative as detailed on page 10 of the Main report.**

(The Committee was informed of a late response from the Highways Authority that they had no objections to the proposal, as detailed in the published Update Report, copies of which were made available to Members and the public gallery prior to commencement of the meeting.)

**87. PLANNING APPLICATION 2014/367/FUL –  
LAND ADJACENT 55 WEATHEROAK CLOSE,  
WEBHEATH, REDDITCH B97 5TF**

New one and a half storey dwelling

Applicant: Mr and Mrs R Lewis

The following people addressed the Committee under the Council's public speaking rules:

Mrs Gill Kloetzli – objector

Mr Brian Davy – Objector

Councillor David Bush – Ward Councillor

Mr Gary Philips of Highbury Design – Applicant's Agent

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informatives as set out on pages 15 to 17 of the main agenda report and the following additional Condition:**

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- 9) **No development shall be carried out until a construction management plan has been submitted and approved by the local authority. Development to proceed in accordance with the agreed plan.**

**Reason: To minimise the impact of the development construction on existing occupiers of the building in order to safeguard their residential amenity and safety.**

(The Committee noted a late Consultee response received from Severn Trent Water, who had no objection to the proposal subject to conditions. Members also noted three additional objections that had been received and Officer responses, all as detailed in the published Update Report, copies of which were circulated to Committee Members and the public gallery prior to commencement of the meeting.

Members considered and agreed the imposition of an additional Condition, relating to the submission of a Construction Management Plan for approval, which had been suggested by the Applicant's Agent during their address to the Committee under the Council's public speaking rules, as detailed in the resolution above.)

**88. PLANNING APPLICATION 2014/369/FUL –  
IPSLEY COURT, BERRINGTON CLOSE,  
IPSLEY, REDDITCH, B98 OTJ**

Proposed two-storey building to contain  
four no. apartments (Plots 41, 42, 43 and 44).

Applicant: Mr Barney McElholm

The following people addressed the Committee under the Council's public speaking rules:

Mr Stephen Williams – objector  
Mrs Sue Nicholls – objector  
Mrs Evelyn Coke – objector  
Councillor Juliet Brunner – Ward Member  
Mr Barney McElholm – Applicant

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED, for the following reasons:**

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- 1) **The design and visual impact of the proposed building that would result from its size and location would appear incongruous and out of character in the streetscene. The lack of private amenity space to serve the proposed residents would result in an unacceptable lack of residential facilities which would compromise their residential amenity. As such the proposal is considered to be contrary to Policies CS2 and B(BE)13 of the Borough of Redditch Local Plan No.3 and Policies 5, 39 and 40 of the emerging Borough of Redditch Local Plan No.4 and SPG Encouraging Good Design.**
  
- 2) **The impact of additional parking requirements and the loss of existing parking provision resulting from the proposal raises concerns about the displacement of parking in the area on to the highway, contrary to the objectives of Policies CT12 of the Borough of Redditch Local Plan No.3 and Policy 20 of the emerging Borough of Redditch Local Plan No.4.**

(The Committee noted a further representation of objection as detailed in the published Update Report, copies of which were provided to Members and the public gallery prior to commencement of the meeting.

Members expressed concerns that the proposed design and siting of the development would be out of character for the area and would have a visual impact on the street scene and wider area. Concerns were also expressed that the proposed development provided insufficient parking. Officers clarified that, in terms of the cumulative parking requirements for the wider site, sufficient parking would be provided for the existing development and the proposed new development in line with parking standards requirements.

Having considered all of the information provided, members were still of the view that the design of the proposed development was out of character and would have a visual impact on the street scene. Members also considered that the additional parking required for the development would have a cumulative impact on parking provision in the wider area with the potential for the displacement of vehicles onto the highway. Members were therefore minded to refuse the Application for the reasons stated in the resolution above.)

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**89. PLANNING APPLICATION 2015/035/RM –  
LAND OPPOSITE THE FOXLYDIATE,  
BIRCHFIELD ROAD, WEBHEATH, REDDITCH**

Approval of Reserved Matters for the construction  
of twenty nine no. dwellings pursuant to Condition 1  
of Planning Permission 2013/179/OUT

Applicant: Mr David Baker

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Reserved Matters Planning Permission be GRANTED, subject to the Conditions and Informative set out on pages 30 to 31 of the main agenda report.**

(Members noted various amendments that had been received from the Applicant following further discussions with Officers, all as detailed in the published Update Report, copies of which had been provided to Committee Members and the public gallery prior to commencement of the meeting. Members attention was also drawn to the corrected site plan that had been tabled at the meeting.

In light of receipt of acceptable amendments to the Layout Plan, the Committee was asked to note Officer's amended Recommendation to grant Planning Permission, as detailed in the Resolution above.)

**90. PLANNING APPLICATION 2015/044/FUL AND LISTED  
BUILDING CONSENT APPLICATION 2015/045/LBC –  
THE WHITE LION, 1202 EVESHAM ROAD,  
ASTWOOD BANK, REDDITCH B96 6AA**

Conversion of Listed Public House into 4 separate dwellings  
with associated works, car parking and rear driveway, together  
with two new semi-detached 2 bedroom houses and one detached  
three bedroom house within the grounds

Applicant: Vicarage Farm Estates Ltd

**1) PLANNING APPLICATION 2015/044/FUL**

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to**

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the Conditions and Informatives set out on pages 40 to 44 of the main agenda report; and

2) **LISTED BUILDING CONSENT APPLICATION  
2015/045/LBC)**

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Listed Building Consent be GRANTED, subject to the Conditions and Informative as set out on pages 45 to 46 of the main Agenda report.**

(Members received and noted an oral update from Officers in relation to receipt of five additional late representations of objection on similar grounds to those covered in the main agenda report, and a Consultee response from Natural England, who had no objections to the proposal.)

The Meeting commenced at 7.00 pm  
and closed at 8.31 pm

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CHAIR



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**Planning Application 2014/157/FUL****Erection of 10 residential dwellings consisting of 4 x 2 Bed, 3 x 3 bed and 3 x 4 Bed Units****Land Opposite Tan House Farm, Off Studley Road, Redditch, Worcestershire****Applicant: Mr Carl Lovell  
Expiry Date: 19th September 2014  
Ward: GREENLANDS****(see additional papers for Site Plan)**

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site is located to the East of Studley Road adjacent to the administrative boundary with Stratford on Avon and Warwickshire County. The site is adjacent to Park Farm Industrial Estate whilst across the road from the site is open space facilities and residential uses. The site comprises approximately 0.4 hectares and is relatively level. The site is currently enclosed from the road side with tall boarding for security purposes.

**Proposal Description**

Permission is sought for 10 dwellings. The proposed layout shows an access off Studley Road. Original plans submitted showed 13 dwellings, but amendments have been made to the layout reducing the scheme to 10 dwellings.

8 dwellings are detached whilst 2 dwellings are semi-detached. The plots range from 2 bedroom to 4 bedrooms. The dwellings would be two storeys and be finished in brick and tiles.

A public right of way exists along the eastern boundary of the site and would be enhanced as a result of the scheme. The site abuts the Borough / County boundary, therefore, a tree planting belt is proposed along the north-eastern boundary to screen the proposed development.

**Relevant Policies:****Borough of Redditch Local Plan No.3:**

EEMP03	Primarily Employment Areas
EEMP03A	Development affecting Primarily Employment Areas
CS07	The Sustainable Location of Development
BBE13	Qualities of Good Design

**Emerging Borough of Redditch Local Plan No. 4**

Policy 4: Housing Provision

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Policy 5: Effective and Efficient use of Land  
 Policy 2: Settlement Hierarchy  
 Policy 22: Road Hierarchy  
 Policy: 40 High Quality Design and Safer Communities

**Others:**

NPPF National Planning Policy Framework  
 NPPG National Planning Practice Guidance  
 SPG Encouraging Good Design

**Relevant Planning History**

1989/674	Outline application for industrial development	Ref 8.1.90
2000/012	Outline application erection of Class B2/B8 industrial / storage units	App 14.8.00
2003/159	Renewal of 00/012 Erection of Class B2/ B8 industrial / storage units and access	App 22.4.03
2003/210	Erection of 3 No. warehouses/ office units	W/D 22.5.03
2006/367	Erection of Class B1 units	App 10.1.08

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### Consultations

#### **Stratford on Avon District Council**

No objection but request an ecological assessment to assess any potential impact on the River Arrow, provision of a natural landscape belt, planting fronting Studley Road.

#### **Development Plans**

The site has been identified as an allocation for housing to meet the strategic housing requirement up to 2030 in the emerging Local Plan No.4. Therefore, residential development on this site is considered an appropriate use of the land in this location.

#### **Contaminated Land- Worcestershire Regulatory Services**

The history of the site suggests that contamination issues may potentially be a significant issue – Recommend appropriate conditions.

#### **North Worcestershire Water Management**

Prior to building work commencing, the applicant must supply a full drainage plan showing the location of all drainage amenities.

#### **Housing Strategy Housing Strategy**

Based on original layout of 13 dwellings requested a provision of affordable housing.

#### **Highway Network Control**

No objection and recommend conditions. Based on a scheme of 13 dwellings, a financial contribution is sought towards the Redditch Infrastructure Delivery Plan.

#### **Crime Risk Manager**

No objections to the proposal.

#### **Sports and Leisure Services Manager**

No Comments Received.

#### **Severn Trent Water Ltd**

No objection and recommend a standard drainage condition.

#### **Waste Management**

No Comments Received.

#### **Worcestershire Wildlife Trust**

No Comments Received.

#### **Warwickshire Wildlife Trust**

No Comments Received.

#### **Arboricultural Officer**

Comments based on the original layout plan requested amendments to the tree belt and additional planting next to the adjacent industrial unit.

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### **Education Authority**

No Comments Received.

### **Leisure Services Manager**

No Comments Received.

### **Ramblers Association**

No Comments Received.

### **Public Rights Of Way**

Objected to the original layout plan and its impact on the right of way. Since the plan has now been amended, Public Rights of Way have withdrawn their objection.

### **Public Consultation Response**

2 letters of objection, one from a local resident who has raised concerns about the volume of traffic and manoeuvring onto the busy Studley Road. The other objection is from a local business expressing concerns about conflict of the different uses in close proximity to each other that may become a nuisance and also raised concerns regarding traffic.

### **Assessment of Proposal**

The key issues for consideration in this case are as follows:-

#### Principle

The site was designated for Employment Development in the Borough of Redditch Local Plan No.3. Planning permission was granted for Class B1 development on this site in 2008. Whilst a hard surfacing for the vehicular access has been provided on site (and implemented the permission), there has been no interest in terms of constructing the rest of the approved scheme.

Para. 22 of the National Planning Policy Framework (NPPF) states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. In addition, it also states that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land should be treated on their merits having regard for the relative need for different land uses to support sustainable local communities.

This site has had numerous applications approved for employment uses over the years but apart from an access being provided on site, no further progress has been made to develop the site further for employment purposes. The application site was assessed as part of the 2013 Employment Land Review (ELR) and Strategic Housing Land Availability Assessment (SHLAA) updates and considered suitable for residential development as there appeared no reasonable prospect of the site coming forward for employment uses despite employment related planning consents attached to it since 2000.

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As a result of drafting the emerging Borough of Redditch Local Plan No.4 this site is now designated for housing to meet the Strategic Housing Requirement up to 2030, and as such this is considered to be an important material consideration.

Para. 197 of the National Planning Policy Framework encourages local planning authorities to apply the presumption in favour of sustainable development. Policy CS.7 of Local Plan No.3 deals with the longer term development needs for Redditch and as the end date of Local Plan No.3 has now passed; this policy is now quite relevant to determining where sustainable development should be located. This is further supported by Policy 2 Settlement Hierarchy, in the emerging Borough of Redditch Local Plan No.4.

Policies contained in the draft Local Plan No.4 hold limited weight at present (NPPF paragraph 216), however, the following are relevant policy considerations for this planning application:-

As mentioned above Policy 2 Settlement Hierarchy indicates Redditch urban area as the Main Settlement for development as it provides the highest level of services and facilities provision and offers the most sustainable location for development. As the site has now been re-designated for housing development, and falls within Redditch's urban area, development of this site would comply with this emerging policy.

Policy 4 Housing Provision requires 6,400 dwellings to be constructed and completed between 2011 and 2030. This proposal would contribute towards meeting the housing requirement for the Borough.

Policy 5 Effective and Efficient Use of Land encourages the reuse and regeneration of Previously Developed Land and requires residential development to achieve densities of between 30 and 50 dwellings per hectare for the general urban area of Redditch Borough. The proposal site is identified in the Redditch SHLAA and Appendix 2 of the emerging Local Plan No.4 as having potential for development of 12 dwellings (based on 30 dph). Whilst redevelopment of this site is welcomed, the proposal potentially equates to 25dph which is lower than the density proposed in the policy. However, the site layout includes enhancing the right of way that crosses the site as well as a tree planting belt to screen the development from the neighbouring District / County, reducing the net developable area of the site. It is considered that due to the constraints of the site, the proposed density would be acceptable on this occasion.

The principle of residential development proposed in this application would be compliant with Policy CS.7 of Local Plan No. 3 which is consistent with the NPPF and its principles. The proposal would also comply with policies in the emerging Local Plan No.4 and the limited weight that can be given at this stage in its process. Therefore, on balance, the proposal is considered to be acceptable in principle.

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### Layout and Scale

The layout shows one access point with a mixture of semi and detached house types. However, the number of storeys for the dwellings proposed would not exceed 2 storeys. The proposed layout also shows a small informal area of open space land at the side of plot 10, and in front of plots 1 and 2.

The layout appears to comply with the spacing requirements set out in the Borough of Redditch SPG on Encouraging Good Design. The layout has been amended to ensure adequate garden areas. The design of the units is considered to be attractive and would generally enhance the streetscene.

### Landscaping and open space

The site has very little screening and given that it is located adjacent to the Borough / County boundary, there is a desire to screen this development from the adjoining land that is designated as Green Belt in the Stratford upon Avon Development Plan. Details of the tree planting has not been provided at this stage but can be appropriately conditioned.

As part of the development, the right of way that crosses the site will be enhanced with a minimum 4 metre wide access and native hedgerow screen planting. The site layout comprises of small pockets of open space that will need to be maintained in perpetuity by a management company. The proposed tree planting area would need to be managed in the same way. It is considered appropriate that a condition be imposed that a management plan be submitted to cover maintenance matters for the open space areas, tree planting belt and the landscaping adjacent to the right of way.

Following comments from the Arboricultural Officer, some provision of tree planting is proposed on the site to screen the neighbouring industrial unit to the side of the site.

### Highways and access

The proposal shows a vehicular access off Studley Road. Despite letters of concern from neighbouring occupiers in respect to additional traffic etc. County Highway Network Control has no objection to the scheme and recommends conditions. County Highway Network Control also requested a financial contribution towards the Redditch Infrastructure Delivery Plan.

### Planning Obligations

Generally a major residential scheme would require a Section 106 Agreement. However, members may be aware of recent national planning policy that defines specific circumstances where contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build development. Contributions should not be sought from developments of 10 units or less, which have a maximum combined gross floorspace of no more than 1000sqm (gross internal area). Whilst the scheme is for 10 units, the gross internal floorarea equates to approximately 975.40 sq m. Therefore, a S106 Agreement can not apply to this development.

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### Conclusion

The principle of residential development proposed in this application would be compliant with Policy CS.7 of Local Plan No3 which is consistent with the NPPF. The proposal also accords with the emerging Local Plan No.4 and the limited weight that can be given at this stage in its process. The layout of the proposal appears to comply with the Council's SPG on Encouraging Good Design.

### **RECOMMENDATION:**

***That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:***

### **Conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: - In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Prior to the commencement of development details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) The development hereby approved shall be implemented in accordance with the plans to be defined.

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 4) Prior to the commencement of development details of the boundary treatments to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:-To ensure the development is afforded privacy and security between neighbours and the public realm and in the interest of the visual amenity of the

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street scene and in accordance with Policies B(BE).13 and S.1 of the Borough of Redditch Local Plan No.3.

- 5) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 6) The Development hereby permitted shall not be brought into use until the access, turning area (if applicable) and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason:- In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework.

- 7) Development shall not commence until the engineering details and specification of the proposed roads and highway drains have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and in accordance with the National Planning Policy Framework.

- 8) Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to, and approved by, the Local Planning Authority and such provision shall be retained and kept available during construction of the development.

Reason:- To prevent indiscriminate parking in the interests of highway safety and in accordance with the National Planning Policy Framework.

- 9) No demolition, site clearance or development shall take place until all trees and hedges to be retained on the site and around the boundaries of the site have been protected in accordance with the specification set out in British Standard BS:5837 2005: Guide for Trees in relation to Construction, and such protection measures



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shall remain in situ for the duration of the development and in accordance with Policies B(NE)1a and B(NE)3 of the Borough of Redditch Local Plan No.3.

Reason:-To ensure the protection of trees and hedgerows in the interests of visual amenity.

- 10) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3.

- 11) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3.

- 12) No part of the development hereby approved shall be occupied or brought into use until full details of a landscape management plan, to include long term design objectives, management responsibilities and maintenance schedules for all landscape areas including open space areas, tree belt area, and landscaping adjacent to the right of way (other than small, privately owned domestic gardens), has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan thus approved shall be fully implemented upon first use or occupation of the development and thereafter, all landscaping to which the plan relates shall continue to be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To secure the effective and ongoing maintenance and management of landscape areas in the interests of visual amenity and community safety and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3.

- 13) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until Parts 1 to 6 have been complied with:

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**Part 1.**

A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

**Part 2.**

Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

**Part 3.**

Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

**Part 4.**

Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**Part 5.**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

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## Part 6.

Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

## Part 7.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

## Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors in accordance with the National Planning Policy Framework.

## Informatives

- 1) THIS PERMISSION DOES NOT AUTHORISE THE LAYING OF PRIVATE APPARATUS WITHIN THE CONFINES OF THE PUBLIC HIGHWAY. The applicant should apply to Worcestershire County Council for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.
- 2) This permission does not authorise the applicant to carry out works within the publicly maintained highway.

Dropped kerbs to enable access onto properties for vehicles must only be constructed by Ringway Infrastructure Services, Worcestershire County Councils approved contractor. The applicant is solely responsible for all costs associated with construction of the access. For further information, please contact Ringway direct on 01905 761160 or email : [worcestershirevehicle.crossing@ringway.co.uk](mailto:worcestershirevehicle.crossing@ringway.co.uk)

- 3) If it is the Developer's intention to request the County Council, as a Highway Authority, to adopt the proposed road works as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed road works, which shall comply with the County Council's requirements,

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together with all necessary drainage arrangements and run off calculations shall be submitted to Worcestershire County Council's Network Control Manager, Business, Environment and Community Directorate, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 01905 763763). No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.

- 4) It is not known if the proposed road works can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed road works as public highways. The applicant is, therefore, advised to submit the engineering details referred to in this conditional approval to the Worcestershire County Council's Network Control Manager, Business, Environment and Community Directorate, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 01905 763763), at an early date to enable surface water disposal arrangements to be assessed.
- 5) Whilst the full remit of the Secured by Design Scheme covers more than Land Use Planning and Development Control, Redditch Borough Council actively encourage developers to take full account of Crime Prevention and Community Safety issues throughout the design and construction of any development as an integral part of achieving good design. Applicants are advised that further details of Secured by Design and relevant construction specifications can be found at [www.securedbydesign.com](http://www.securedbydesign.com) or by contacting the West Mercia Constabulary Crime Risk Manager on 01527 586181

**Procedural matters**

This application is reported to Planning Committee for determination because the application is for major development (10 dwellings or more), and as such the application falls outside the scheme of delegation to Officers. Also, this application is being reported to the Planning Committee because two (or more) objections have been received.

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**Planning Application**      2014/298/FUL  
**Listed Building Consent**   2014/299/LBC

**Conversion of existing dwelling to 2 no. 3 bed flats**

**40 Chestnut Road, Astwood Bank, Redditch B96 6AE**

**Applicant:**                      **Mr & Mrs Robert & Gail Head**  
**Expiry Date:**                 **11th December 2014**  
**Ward:**                             **ASTWOOD BANK AND FECKENHAM**

**(see additional papers for Site Plan)**

The author of this report is Sarah Hazlewood, Planning Officer (DM), who can be contacted on Tel: 01527 881720 Email: sarah.hazlewood@bromsgroveandredditch.gov.uk for more information.

**Procedural matter**

The proposed works are the same for both applications, hence the combination report given below. The assessment section of the report deals with the separate issues for each application, however the bulk of the information is the same, and is therefore not repeated.

**Site Description**

The site comprises an attached, three storey attractive red brick listed building formerly comprising part of a larger needle making factory complex occupying Chestnut Road and High Street known as Double Century Works. There is a single storey lean to style element projecting to the eastern side of the main three storey element which was formerly used as a workshop. The remainder of the building is currently occupied as a single dwelling having been granted planning permission for its conversion to a dwelling in the 1980s. To the south and east of the application site there are residential properties with the Double Century Works to the west and north which houses a variety of light industrial uses.

**Proposal Description**

The planning application and listed building consent applications are identical in form and propose the conversion of the existing building in to 2, 3 bed roomed flats. In order to facilitate the conversion, internal alterations are proposed to rearrange the accommodation. Externally, traditional arched windows are proposed to be reinstated in to the building along with the reopening on the ground floor level of a doorway on the western elevation. Two vehicular parking spaces will be provided to both the front and western side of the building so that each flat would have 2 off road parking spaces.

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**Relevant Policies:****Others:**

NPPF National Planning Policy Framework  
 NPPG National Planning Practice Guidance

**Borough of Redditch Local Plan No.3:**

CS07 The Sustainable Location of Development  
 BBE13 Qualities of Good Design  
 BBE14 Alterations and Extensions

**Emerging Borough of Redditch Local Plan No. 4**

Policy 36: Historic Environment  
 Policy 37: Historic Buildings and Structures

**Relevant Planning History**

2004/105/FUL	Conversion Of Part Of The Workshop Into A Double Bedroom And Shower Room	Approved	08.07.2004
2004/106/LBC	Listed Building Application - Conversion Of Part Of Workshop Into New Disabled Access Bedroom And Shower Room	Approved	08.07.2004

**Consultations****Conservation Advisor**

Expressed a preference to remove the single storey lean to in order to facilitate the conversion.

**Highway Network Control**

No objection subject to conditions relating to the laying out of 2 parking spaces per unit.

**Public Consultation Response**

9 Representations have been received in relation to these applications, 6 in support of the application and 3 in objection

In support of the applications:

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- The proposal will improve the appearance of the building
- The application will give something back to the village to keep the historic and traditional building and add to the character of the area
- The proposal will result in affordable apartments and a more affordable type of accommodation.
- There appears to be ample parking proposed as part of the scheme and no additional congestion with better parking than properties in the vicinity
- The proposal would be better for the community than a commercial property
- The proposal will make the property more visually appealing

In objecting to the applications:

- Parking is already occurring on footpaths and people are forced to use the grass in front of gardens
- Dustbin lorries and emergency vehicles cannot access the road when cars are parked
- There will be an increase in accidents due to more vehicles using narrow streets

**Assessment of PLANNING APPLICATION proposal****Principle**

The application proposes an additional unit of residential accommodation at the site. Policy B(RA).8 refers to Astwood Bank being a sustainable rural location. Having regard to the tests set out at paragraph 7 of the NPPF your Officers would concur that Astwood Bank is a sustainable settlement that has appropriate facilities to support the provision of additional residential development. The site lies within the village of Astwood Bank and as such is a sustainable location where residential development is acceptable in principle.

**Highway safety**

A number of the representations refer to concerns relating to highway safety and existing problems with vehicular parking capacity, particularly relating to the more modern development that occupies 22-34 Chestnut Road. The proposal however provides two off road parking spaces for each flat which comprise of three bedrooms each. The proposal therefore complies with the county council standards. The accessing of this parking provision would not compromise on street parking in the area and as such it is considered unreasonable to refuse planning permission on this basis.

**Design**

The overall appearance of the building will largely remain the same as there are no extensions proposed to facilitate the conversion. Externally, the changes relate to the fenestration of the windows returning to their original form, particularly the reintroduction

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of the arched features above each window and the re-opening of an external doorway to give the ground floor unit access to outdoor space to the side of the building. Further, the glazing bar thickness and pattern reflects the windows present in the adjacent factory building and as such are likely to have been present at the application site prior to conversion. It is considered that the reintroduction of these features in to the application site is sympathetic to the design of the building.

External amenity space is provided to the side of the building beyond the proposed parking area which amounts to an area of 39 square metres. The councils SPG advises that for flats a communal area of 35 square metres should be provided and therefore the proposal complies with the requirements of the guidance in this regard. It is further recommended that a condition is attached to any forthcoming permission that seeks a landscaping scheme from the developers in order to demarcate and provide some form of separation between the proposed parking spaces and the proposed amenity area.

**RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:**

**Conditions:**

Relating to the planning application:

1. The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation.

2. The proposal shall be carried out as shown on the plans, schedules and other documents listed below;

2702-01D  
2702-02F

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with policy B (BE).13 of the Borough of Redditch Local Plan Number 3.

3. Prior to the first occupation of any dwelling hereby approved space shall be laid out within the application site for 2 cars to be parked. The parking area shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.



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Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway in order to comply with policy B (BE).13 of the Borough of Redditch Local Plan Number 3.

4. Before the development is occupied you must provide drawings and written details of how you will deal with soft landscaping areas of the site. These details shall include the time at which the planting will be carried out as well as sizes and species to be used. Details should also be included of any existing soft landscaping to be retained as well as details as to how these areas will be protected during the development. The Council will agree these details with you in writing and you must implement the agreed scheme by the end of the first planting season following the occupation of the first unit. If within five years of the development being finished, any of the soft landscaping is removed, seriously damaged, diseased or dies, they shall be replaced in the next planting season with others of a similar size or species any change to size or species will need to be agreed with the Council.

Reason: To make sure that the appearance of the development is acceptable in relation to the area in which it is found and in order to comply with Policy C(S).8 of the Borough of Redditch Local Plan number 3.

## Informative Notes:

1. This permission does not authorise the laying of private apparatus within the confines of the public highway

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

Precise details of all works within the public highway must be agreed on site with the Highway Authority.

2. This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor following the issue of a license under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Council's Highways Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Council's Approved Contractor at the applicant's expense.

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**Assessment of LISTED BUILDING proposal**

The applicant advised that the majority of 40 Chestnut Rd has been replaced with modern additions at the time the conversion was undertaken. This was prior to the building being listed in 2001. The floors, roof, windows, internal partitions and plaster were updated during the 1980s with the only original features remaining being the external walls and corbeling. The external alterations proposed seek to remove modern infill brick work which would introduce arched window features and fenestration found when the building was originally erected as a factory.

Paragraph 131 of the National Planning Policy Framework advises that the determination of applications should take account of sustaining and enhancing the significance of heritage assets and ensuring that they are put to a viable use consistent with their conservation. In this case your Officers consider that the proposal would allow for original features that have since been lost to be reinstated at the building and otherwise the character of the building and the way in which it is used would not alter significantly. As such it is considered that the proposal would enhance the significance of the heritage asset and therefore comply with the requirements of the Framework in this regard.

**RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, listed building consent be GRANTED subject to the following conditions:**

1. The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation.

2. The proposal shall be carried out as shown on the plans, schedules and other documents listed below;

2702-01D  
2702-02F

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with policy B (BE).13 of the Borough of Redditch Local Plan Number 3.

3. Before any work on site begins you must provide drawings, written details and or samples of :
  - how all joinery including windows and glazing bars will be treated
  - the design of doors and windows

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- all materials to be used externally, including mortar

The Council will agree these details with you in writing and you must implement the agreed scheme when carrying out the works or development.

Reason: To make sure that the important qualities of the Listed Building are protected as part of the development, in order to comply with policy B (BE).13 of the Borough of Redditch Local Plan.

**Procedural matters**

These applications are being reported to the Planning Committee because two (or more) objections have been received.



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**Planning Application 2015/042/FUL****35no. 2,3 and 4 bed houses, 8no. 1 bed apartments and 1no. 2 bed bungalow  
(substitution of some house types approved under 2013/289/FUL)****Land Off, Dixon Close, Enfield, Redditch, Worcestershire****Applicant: Mr Nick Laight  
Expiry Date: 5th June 2015  
Ward: ABBEY****(see additional papers for Site Plan)**

The author of this report is Stacey Green, Planning Officer (DM), who can be contacted on Tel: 01527 881342 Email: s.green@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site measures approximately 0.9ha in area. It is bounded to the north-west by the new housing development at the former gas works site (now known as Dixon Close); to the north-east by a small wooded area; to the south-east by a railway line and to the south-west by industrial development forming part of the Enfield Industrial Estate. The site is zoned for Primarily Employment purposes within the Borough of Redditch Local Plan No. 3.

**Relevant Policies :****Borough of Redditch Local Plan No.3:**

EEMP03 Primarily Employment Areas  
CS06 Implementation of Development  
CS07 The Sustainable Location of Development  
CS08 Landscape Character  
BHSG05 Affordable Housing  
BHSG06 Development within or adjacent to the curtilage of an existing dwelling  
BBE13 Qualities of Good Design  
BBE19 Green Architecture  
BNE01 Overarching Policy of Intent  
BNE01A Trees, Woodland and Hedgerows  
S01 Designing Out Crime  
CT12 Parking Standards

**Emerging Borough of Redditch Local Plan No. 4**

Policy 2: Settlement Hierarchy  
Policy 4: Housing Provision

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Policy 5: Effective and Efficient use of Land  
 Policy 6: Affordable Housing  
 Policy 24: Development within Primarily Employment Areas  
 Policy: 39 Built environment  
 Policy: 40 High Quality Design and Safer Communities

**Others:**

NPPF National Planning Policy Framework  
 SPG Encouraging Good Design  
 SPD Affordable Housing Provision  
 SPD Open Space Provision  
 SPD Designing for Community Safety  
 SPD Planning Obligations for Education Contributions SPD  
 Worcestershire Waste Core Strategy (WWCS)

**Relevant Planning History**

2013/289/FUL	Erection of 39 dwellings comprising 37 houses - mix of 2, 3 & 4 bedroom; and 2 no 2 bed bungalows	Approved subject to Section 106 Agreement	23.05.2014
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**Consultations****North Worcestershire Water Management**

No objection subject to the inclusion of a pre-commencement condition requiring drainage scheme details to be submitted.

**Housing Strategy Housing Strategy**

Housing Strategy has agreed the affordable housing provision, its location and mix with the developers which will be a mix of social rented units and intermediate affordable housing which meets the prevailing housing needs of the Borough.

**Highway Network Control**

Comments that the proposed development is acceptable in highway terms and therefore raises no objection, subject to the inclusion of conditions covering access, turning and parking, on site roads specification, the submission of a travel plan and a Construction Management Plan together with standard highway informatives.

The County request that a contribution under the Infrastructure Delivery Plan be sought as part of this application.

**Community Safety Officer**

No comments received.

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### **Development Plans**

No objection. The net increase in plot numbers does not have a significant impact on the density of the development and is in keeping with adjacent density levels.

### **Environment Agency**

No Comments Received To Date

### **Education Authority**

If development goes ahead in this area, there will be a need for a contribution towards local education facilities in accordance with your Supplementary Planning Document on planning obligations for education facilities.

### **Contaminated Land- Worcestershire Regulatory Services**

No objection subject to a suitably worded condition for the protection of contamination

### **Area Environmental Health Officer**

No Comments Received To Date

### **Crime Risk Manager**

No comments or objections regarding this application.

### **Network Rail- Town Planning Team LNW**

No objection in principle but due to the proposal being next to Network Rail land and infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we would request that conditions be applied in the case of the proposals being granted consent. Such conditions should include a risk assessment and a method statement for the works to be carried out on site details of a suitable trespass proof steel fence of at least 1.8m in height to be installed adjacent to Network Rail's boundary and drainage details to be submitted to the Network Rail Drainage Engineer for comment.

### **Severn Trent Water Ltd**

No objection subject to the inclusion of a drainage condition.

### **Waste Management**

No Comments Received To Date

### **Worcestershire Wildlife Trust**

No Comments Received To Date

### **Landscape & Countryside Manager**

Awaiting comments

### **Public Consultation Response**

The application has been advertised by writing to neighbouring properties within the vicinity of the application site, by display of public notices on site, and by press notice.

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19 letters of objection

- Dixon Close is already congested with insufficient car parking to serve the development. The proposal will make things worse.
- Emergency vehicles will have difficulty in accessing the site due to the presence of parked cars on Dixon Close
- Pedestrians have to walk in the road because of the cars blocking the pavements in Dixon Close. The proposal will make this worse.
- Wildlife would be affected
- Outlook would be harmed
- There is not enough car parking being proposed in relation to the number of houses
- Access to the site should be via the Enfield Industrial Estate not through Dixon Close
- Noise and pollution would adversely impact upon the amenities of residents
- The apartment building will be intrusive and affect neighbours light and air
- Overdevelopment of the existing development and this proposal will make it worse
- Construction traffic entering and exiting the site will impact upon residential amenity
- Loss of open green space
- The 3 storey houses will block light
- The proximity of the railway line and the noise from the industrial estate would provide an inadequate standard of amenity for future occupiers of the proposed new houses
- The construction of the development will harm residential amenity with noise and dust

**Assessment of Proposal**

Full planning permission was granted under 2013/289/FUL for the erection of 39 dwellings. The approved scheme allowed for a mix of two, two and a half and three storey semi-detached and terraced houses, with the exception of 2 detached bungalow. Of the 39 units approved, a 30% share of these were affordable, which equated to 12 units. This application seeks to change the house types that were previously approved for plots 1, 2, 37, 38 and 39. The proposal would result in a total of 44 dwellings which is a net gain of 5 dwellings over and above the previously approved scheme. The new proposal would also provide a 30% share of affordable units, which equates to 13 units.

The 44 residential units would be provided as follows:

- 6 x 1 bed flat
- 2 x 2 bed maisonette
- 1 x 2 bed bungalow
- 9 x 2 bed houses
- 24 x 3 bed houses
- 2 x 4 bed houses



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The breakdown of the 13 affordable houses to be provided as part of this development is as follows:

8 social rented units

- 1 x 2 bed bungalow
- 4 x 1 bed flats
- 2 x 2 bed houses
- 1 x 3 bed house

5 intermediate units

- 2 x 2 bed houses
- 3 x 3 bed houses

The 30% affordable housing threshold applies under the emerging Borough of Redditch Local Plan No. 4 under which this site is being brought forward for residential development. Since the site is designated as a Primarily Employment Area in the current Local Plan, it would not be appropriate to apply the 40% affordable housing threshold associated with Local Plan no. 3.

### **Background**

To the immediate north of the site lies the former Windsor Road gasworks site which gained permission for residential development under an appeal decision in 2002. Two subsequent reserved matters applications were granted in 2007, the first, ref 2006/484 granted permission for 146 residential units. The second application, ref 2006/541 granted permission for 109 residential units. The 255 dwellings approved are now occupied. The former gasworks site has been named 'Dixon Close'; and it is from the termination of Dixon Close at the farm south-western corner of the former gasworks site from where access to serve the further 39 new dwellings is proposed to be gained.

### **Principle**

The principle of the development was established under the previously approved housing scheme. However, this is explained again below.

The site is on land which falls within a Primarily Employment Area on the Borough of Redditch Local Plan No.3 Proposals Map. However, this designation has been revised through the emerging Borough of Redditch Local Plan No.4 as a site allocated for housing development to meet the strategic housing requirement for Redditch, as defined on the Borough of Redditch Local Plan No.4 (Proposed Submission) Policies Map.

The site was assessed for its contribution to the Councils Employment Land Review (ELR) in 2012, where it was concluded that the site could no longer be protected for employment related uses. As stated by the Planning Policy Team, under Paragraph 22 of the NPPF, Councils are required to avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that

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purpose and where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits. In 2013 the site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA), and deemed suitable for residential needs.

### **Density and mix of development**

The density of the development equates to 55dph, based on a net developable area of 0.8ha. This falls within the desired density range for an edge of centre site, and would respect the density of existing development at Dixon Close.

The proposal is considered to offer a good range of property types and tenures to meet the needs of Redditch.

### **Impact on nearby residents**

The majority of the representations received from the public concern impact upon amenity due to increased vehicle movement to and from the site and associated highway safety implications. Parking to be provided as part of the scheme complies with local standards and the highway authority have raised no objection to the application.

The previously approved scheme was found to be acceptable in terms of its impact on adjoining occupiers. It is considered that the substituted house types would not give rise to any loss of privacy and loss of light or outlook.

### **Affordable Housing**

The proposal has increased the provision of affordable housing by 1 unit over and above the previously approved scheme. Thus, the proposed development will provide 13 affordable units in total, which represents 30% of the total number of units to be provided. Housing Strategy have confirmed that they are satisfied with the provision, location and mix between social rented units and intermediate affordable housing.

### **Design and Community Safety Considerations**

The previously approved scheme was found to be acceptable in terms of its layout and design, and no principle objections were received from the Community Safety Officer. It is considered that the substituted house types would not compromise the approved layout and design of the scheme for the following reasons:

With respect to plots 37 and 38 of the previous application, a pair of semi-detached 2 storey houses were approved, sitting perpendicular to the highway. A two storey block of six apartments is proposed to substitute a pair of semi-detached houses. The apartment building would front the highway and make good use of the elongated shape of this part of the site. To my mind, the apartment building would fit more comfortably on this part of the site compared to the previously approved houses whereby the side wall and associated fencing would front the highway.

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Under the previous application (2013/289), a pair of 3 storey, 4 bedroom semi-detached houses were approved on plots 1 and 2. This application proposes a similar type of house with the provision of 4 bedrooms across 3 floors. It is considered that the proposed houses would have a more interesting frontage with the inclusion of ground level bay windows and centrally located dormer windows within the roof. The lower ridge height is considered to be more appropriate than that previously approved.

A detached bungalow was approved at plot 39 of the previously approved scheme. It is proposed to substitute the bungalow with two maisonettes which have the appearance of a two storey house. It is considered that this building would sit comfortably in the plot and would not cause any harm to the amenities of the existing occupiers at 53 Dixon Close.

### **Trees and Landscaping**

In respect of the previously approved application, the Tree Officer was satisfied that the proposed development would be acceptable subject to the inclusion of a landscaping planning condition.

I await comments from the Tree Officer in respect of the revised scheme and Members will be updated at the meeting.

### **Highways**

Having regard to the previously approved scheme, it was accepted that the proposal would not adversely impact on highway safety or the road network, subject to the imposition of planning conditions and informatives. Parking arrangements were found to be satisfactory by complying with local standards.

The house type substitutions do not give rise to any highway safety implications and County Highways have not raised any objections subject to the inclusion of conditions and informatives. Parking arrangements in respect of the new house types continue to comply with local standards and are thus considered to be acceptable.

An emergency vehicular access has been proposed off the Enfield Industrial Estate. Subject to approval of the application, a condition would be included to ensure that the emergency access point is kept available for use by emergency vehicles in perpetuity. This is considered necessary in order to provide safe and convenient access to the site.

Officers are satisfied that the conditions as requested by County Highways are necessary and reasonable having regard to government guidance which exists with respect to planning conditions (Para 206 of the NPPF). It is not considered appropriate in this case to seek the infrastructure contribution following legal advice which has been received.

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### Onsite open space / amenity requirements

For a development of this size, it would be normal to provide on-site communal open space. Leisure Services have expressed their preference for a commuted sum to be paid in order to improve and enhance play at Forge Mill and sports provision at the Abbey Stadium. It is noted that an equipped child's play area exists approximately 300 metres due north of the site which was provided as part of the existing Dixon Close development. Private amenity space for all of the houses would be in compliance with the Council's adopted SPG 'Encouraging Good Design' and as such, officers are satisfied that the scheme could not be regarded as an over-development of the site. Environmental Health has examined the proposals and has raised no objection subject to the introduction of an acoustic fence to protect residents from noise associated with the use of the adjacent railway line.

### Planning obligations

The size of the proposed development is above the policy threshold for requiring contributions which should be sought via a planning obligation which in this case would cover:

- A contribution towards play areas at Forge Mill and sports provision at Abbey Stadium, due to increased demand/requirements from future residents, is required in compliance with the SPD.
- A contribution to refuse and re-cycling bins for the new development in accordance with Policy WCS.17 of the adopted Worcestershire waste Core Strategy.
- A contribution towards County education facilities. The County have confirmed that there is a need in this area to take contributions towards Holyoakes Field First School.
- The provision of 13 units on the site to be restricted to affordable housing in perpetuity.

At the time of writing, the planning obligation is in draft form.

### Conclusion

Officers consider that this detailed application is wholly acceptable having regards to the sites constraints and all other material considerations. It is evident that this application is very similar to that previously approved under 2013/2589/FUL with changes relating to house type substitutions only. The proposal would continue to meet some of the demonstrated housing need in the Borough. The proposal is considered to comply with the planning policy framework and is unlikely to cause harm to amenity or safety. Subject to satisfactory completion of the planning obligation, this application can be recommended for approval.

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**RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and Regeneration to GRANT planning permission subject to:-**

**a) The satisfactory completion of a S106 planning obligation ensuring that:**

- Contributions are paid to the Borough Council in respect to off-site open space, pitches and equipped play in accordance with the Councils adopted SPD
- Contributions are paid to the Borough Council towards the provision of wheelie bins for new development
- Contributions are paid to the County Council towards County education facilities in accordance with the Councils adopted SPD
- 13 units on the site are restricted to affordable housing in perpetuity

**and****b) The satisfactory comments of the Arboricultural Officer****and****c) conditions and informatives as summarised below:****Conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.  
Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) Prior to the commencement of development details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.  
Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.
- 3) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other

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means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 4) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 5) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;  
0800 to 1800 hours Monday to Friday  
0900 to 1200 hours Saturdays  
and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 6) The Development hereby permitted shall not be brought into use until the access, turning area (if applicable) and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason:- In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and in accordance with the National Planning Policy Framework.

- 7) Development shall not commence until the engineering details and specification of the proposed roads and highway drains have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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Reason:- To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and in accordance with the National Planning Policy Framework.

- 8) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access in accordance with the provisions of the National Planning Policy Framework

- 9) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-
- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
  - b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- The measures set out in the approved Plan shall be carried out in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution in accordance with the provisions of the National Planning Policy Framework.

- 10) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;
- a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;
  - If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with National Planning Policy Framework.

- 11) The development hereby approved shall be implemented in accordance with the following plans:

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Planning, Design and Access Statement 17.02.15  
 ADC Acoustic Report dated 24.10.13  
 Arboricultural Impact Assessment Nov 2013  
 Drawing 1610/42B (Site Plan)  
 Drawing 1610/14  
 Drawing 1610/03, 1610/04, 1610/05, 1610/07, 1610/08A, 1610/29B  
 Drawing 1610/40, 1610/41,  
 Drawing 1610/10

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 12) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 13) Prior to development commencing full details of a trespass proof fence to prevent pedestrian trespass onto the adjacent railway at a minimum height of 1.8 metres, including details of provision for its future maintenance and renewal shall be submitted to and approved in writing by the Local Planning Authority and Network Rail. The details thus approved shall be fully implemented prior to first use or occupation.

Reason :- In the interests of health and safety and to protect the visual amenities of the area. in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 14) Prior to development commencing full details of an acoustic fence to be erected along the south-west and south-east boundaries to the application site including details of provision for its future maintenance shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation.

Reason :- In the interests of safeguarding the residential amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 15) During the course of all on-site redevelopment works and final fitting out, all construction traffic, contractors and deliveries access and egress from the site



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shall be via the Enfield Industrial Estate. No development traffic shall access the site via Dixon Close unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of nearby residential amenity in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 16) Prior to the Commencement of Development, details of an emergency access to the site via the Enfield Industrial Estate shall be submitted to and approved in writing by the Local Planning Authority. The emergency access works approved shall be implemented prior to the completion of development works on the site. This access point shall be kept available for use by emergency vehicles in perpetuity.

Reason: In the interests of residential amenity and in order to provide safe and convenient emergency access to the site in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 17) The approved emergency access shall be kept available as a secondary access / egress for construction traffic, contractors and deliveries during the construction period. Upon completion of development works this access shall be used for emergency vehicles only.

Reason: To allow a secondary access would allow all construction vehicles to access the site at all times via the Enfield Industrial Estate without having to access via Windsor Road, thereby safeguarding residential amenity in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

**Informatives**

- 1) 1. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.  
Precise details of all works within the public highway must be agreed on site with the Highway Authority.

2. If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley

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Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.

3. It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

4. The applicant's attention is drawn to the requirement to provide a Risk Assessment and Method Statement for development works which are to be carried out within 10 metres of operational railway land. This should be agreed prior to the commencement of any development on the site. The method Statement should be sent to: Outside Parties Engineer, Network Rail, Desk 122, Floor 1, Square One, 4 Travis Street, Manchester, M1 2NY.

5. The applicant should be aware that this permission also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of that and the conditions listed above must be complied with at all times.

6. The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through discussion.

**Procedural matters**

This application is reported to Planning Committee for determination because the application is for major development, requires a S106 Agreement and more than two objections have been received.

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**Planning Application 2015/073/S73****Removal of Condition 2 of planning approval 2010/244/COU to allow wholly A5 (hot food takeaway) consent and to allow all types of hot food to be sold on the site for consumption off the premises****Unit 9 Matchborough Centre, Matchborough Way, Matchborough, Redditch****Applicant: Mr Mehdi Kalateh  
Expiry Date: 23rd April 2015  
Ward: MATCHBOROUGH****(see additional papers for Site Plan)**

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

**Site Description**

Unit 9 is situated within the Matchborough District Centre between two commercial premises, also within the District Centre: a Fish and Chip Takeaway (Unit 8) and a former Bookmakers (now vacant) (Unit 10). Beyond the District Centre boundary lie a busway to the west, and large public car parks to both the north and south.

**Proposal Description**

This application made under Section 73 of the Town and Country Planning Act 1990, is to remove Condition 2 of planning approval 2010/244/COU which would allow wholly A5 (hot food takeaway) consent and allow all types of hot food to be sold on the site for consumption off the premises.

**Relevant Policies :****Borough of Redditch Local Plan No.3:**

CS07 The Sustainable Location of Development  
BBE13 Qualities of Good Design  
ETCR09 District Centres  
ETCR12 Class A3, A4 and A5  
CT12 Parking Standards  
S01 Designing out Crime

**Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance  
SPD Designing for Community Safety

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**Relevant Planning History**

2010/244/COU	Retrospective Application - Change of use of premises from A1 (Shops) to mixed A3 (Cafe/Restaurant) and A5 (Hot Food Takeaway) Use	Approved	10.11.2010
	Appeal against imposition of condition: Allowed (re-worded condition) 06.07.2011		
2013/242/S73	Section 73 Application: Removal of Condition 2 of planning approval 2010/244/COU to allow wholly A5 (hot food takeaway) consent and to allow all types of hot food to be sold on the site for consumption off the premises	Refused	01.11.2013
2013/255/S73	Appeal against non-determination of application 2013/242/S73 within prescribed timescales	Appeal dismissed	04.03.2014

**Consultations****Area Environmental Health Officer**

No objections as long as the proposals for the kitchen extract system are implemented in full prior to first commencement of use.

**Highway Network Control**

No objection

**Crime Risk Manager**

Although the area does generally attract an element of anti-social behaviour, the majority of this has involved youths gathering, making a noise and kicking footballs up against the shutters to the shops. I do not see that a hot food take away will exacerbate this issue and therefore, I don't feel that there are sufficient grounds to object to this application.

**Public Consultation Responses****Responses against**

3 letters received. Comments summarised as follows:

- Too many food outlets already within the district centre
- Very few units within the centre now operate in shop (A1) type use
- Such uses attract gatherings of young people and associated anti-social behaviour issues and thus detriment to nearby premises
- An increase in noise associated with the use of the premises would have a detrimental impact on amenity

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- Additional smells and fumes will be of detriment to nearby residents
- Litter associated with this hot food takeaway has increased
- The ratio of A5 uses relative to A1 / community type uses would be unbalanced being contrary to the council's planning policies
- Applications for full A5 use here have been refused planning permission in the past. No reason to change this stance

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

### Assessment of Proposal

When application 2010/244/COU which proposed to change the use of a shop to a mixed cafe/restaurant and hot food takeaway use was reported to the Planning Committee in 2010, Officers explained that the relevant planning policy was E(TCR).9 of the Borough of Redditch Local Plan since the unit falls within the Matchborough District Centre. Policy E(TCR).9, along with Policy E(TCR).12 which examines the impact of A5 uses upon nearby occupiers, remain the relevant key planning policies in the determination of such applications.

Policy E(TCR).9 comments that the Town Centre is the primary focus for major shopping needs. District Centres are the secondary level of shopping, meeting daily needs for basic items. Typically District Centres in the Borough accommodate a newsagent, a general store, a sub-post office and occasionally a pharmacy, a hairdresser and other small shops of a local nature. It is important to protect and where appropriate, enhance District Centres particularly with regard to their useful retail function. Proposals that would undermine the retail and community function of the District Centre would normally be refused.

Occupation of the various units within the District Centre is currently as follows:

Unit 1 Boxing Gymnasium	D2
Unit 2 Boxing Gymnasium	D2
Unit 3 Chemist/Pharmacy	A1
Unit 4 Hairdressers	A1
No Unit number: Public House	A4
Unit 5 Indian Takeaway	A5
Unit 6&7 Supermarket and Post Office	A1
Unit 8 Fish and Chips takeaway	A5
Unit 9 Cafe/restaurant with subsidiary hot food takeaway	A3 & A5
Unit 10 Currently vacant, last used as bookmakers	A2
Unit 11 (upstairs) Dentists	D1
Unit 12 (upstairs) residential flat	C3
Unit 13 (upstairs) residential flat	C3

Officers considered that the application submitted under 2010/244/COU would not have an adverse impact on the vitality and viability of the District Centre and nor would it

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detrimentally impact upon nearby amenities provided a condition were imposed restricting the hot food takeaway element as an ancillary part to the primary cafe / restaurant use.

Condition 2 attached to permission 2010/244/COU read as follows:

*The hot food takeaway element approved under this consent is restricted to the sale of pizzas only, with this use remaining strictly ancillary to the primary use of the premises as a café/restaurant use falling within Class A3 of the Town and Country Planning (Use Classes) Order 1987, as amended 2010, or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order with or without modification*

*Reason:*

*The sale of hot foods other than pizzas from the premises may have required an alternative cooking odour extraction system, details of which have not been submitted with the application, and to restrict the sale of hot foods to an acceptable level in accordance with Policy E(TCR).9 and E(TCR).12 of the Borough of Redditch Local Plan No.3*

An appeal was made against the imposition of the condition where the Planning Inspector essentially agreed with the Council that such a condition was reasonable and necessary, although she considered that the condition should be re-worded. The condition now reads as follows:

*The A5 (hot food takeaway) use hereby permitted shall remain subsidiary to the primary A3 (café/restaurant) use and the range of hot foods sold for takeaway shall be restricted to pizzas, and other foods sold for consumption in the café, but with the exception of fried foods which shall not be sold for consumption off the premises.*

It is the above condition which the Planning Inspector imposed, which the applicant is seeking to remove in order that the premises can operate as a wholly A5 (hot food takeaway) use. The removal of the above restrictive condition would enable the applicant to sell fried foods (principally chips) for consumption off the premises as hot food takeaway where under the terms of the above condition, fried foods may only be consumed on the premises.

Following the above application, application 2013/242/S73 was submitted which sought to remove the above condition imposed by the Planning Inspector. As before, the Council refused the application for the following reason:

*Allowing an unrestricted A5 consent by the removal of Condition 2 (permission 2010/244/COU) would seriously harm the vitality and viability of this small district centre to its detriment. Insufficient evidence has been submitted which suggests that the ventilation system installed would adequately safeguard the working and living conditions of nearby occupiers. The proposal is therefore contrary to Policies E(TCR).9 and E(TCR).12 of the Borough of Redditch Local Plan No.3.*

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Following the above refusal, a second appeal was lodged and considered by the Planning Inspectorate. With respect to the first part of the refusal reason and the perceived harm to the vitality and viability of the District Centre, the Inspector commented as follows:

*In my opinion, the introduction of a greater range of foods that could be consumed off the premises could only enhance the vitality and viability of the centre as this would be likely to increase customer levels. This would in turn serve to support the local area.*

*I note that the supporting text to Policy E(TCR).9 of the Borough of Redditch Local Plan No. 3 explains that the aim of the policy is to ensure that the retail and community function of the District Centre is not undermined but it also recognises that other non-retail uses may be acceptable provided they do not hinder the primary retailing function. I consider that the proposal would not undermine but could support this function and thus I find no conflict with this policy.*

With respect to the second part of the reason for refusal under application 2013/242/S73, that is, the effect of the proposals upon living and working conditions of nearby occupiers, the Inspector commented as follows:

*The effect of removing the restriction on the type of foods which can be consumed off the premises would be to intensify the operation overall and in particular to increase the amount of fried foods cooked on the premises. The previous Inspector referred specifically to this issue and concluded that unless odour control was adequate this would be detrimental to the living and working conditions of nearby occupiers. I concur with this view and noted on the site visit that there are residential properties directly above the appeal premises and that a dentist surgery also adjoins at the upper level. In particular, an open terrace is located directly above the rear of the premises close to where the existing system currently discharges.*

*I find that I am unable to conclude that there would not be an adverse impact on the amenity of adjoining properties. Thus the proposal fails to comply with Policy E(TCR).12 of the Borough of Redditch Local Plan No.3 which requires that development does not have an adverse impact upon the amenities of neighbouring properties by reason of smell and that adequate provision is made for the extraction of fumes.*

At the time of the earlier 2013 application, the Environmental Health Officer acting for Worcestershire Regulatory Services (WRS) commented that insufficient evidence had been submitted to demonstrate that the odour control / ventilation system proposed to deal with cooking odours would be acceptable having regard to the proposals upon nearby occupiers. Since the latter appeal decision, the applicant has been working with WRS in order to overcome the concerns raised in this respect. As part of the current application, full odour control details have been submitted which satisfy the Environmental Health Officer that the proposals would not have a detrimental impact upon nearby residents. Provided the submitted scheme is implemented prior to first use

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of the premises as an unrestricted hot food takeaway, officers no longer raise any concerns with respect to the impact of the proposals upon nearby occupiers.

The latest appeal decision comments that a greater range of foods that could be consumed off the premises would enhance the vitality and viability of the centre by increasing customer levels to the district centre. This would comply with the aims and objectives of the National Planning Policy Framework by supporting sustainable economic growth. The Framework comments that significant weight should be placed on the need to support such economic growth.

### Other issues

A considerable level of parking exists to both the north and the south of this courtyard of commercial premises: 44 spaces to the north and 45 spaces to the south. No objections have been raised by County Highways. This level of provision is thought by your officers to be sufficient and the proposal would not be considered to give rise to any harm to highway safety.

Comments have been raised with regards to anti-social behaviour issues associated with the operation of Unit 9. Officers would comment that no specific evidence in this respect has been advanced with the representations received. The Police Crime Risk Manager has raised no objection to the application. The Planning Inspector in considering the appeal referred to earlier in this report commented that:

*In view of the existing takeaway premises in the vicinity I am not persuaded that the increase in takeaway sales from the site would materially affect the level of antisocial behaviour in the area.*

Your officers do not consider that this matter needs to be examined further.

### Conclusion

Significant weight should be given to the latest appeal decision which states that an unrestricted hot food takeaway use at the premises would aid the vitality and viability of the district centre rather than harm it. WRS have now commented that the odour control system submitted as part of the current application is acceptable, which was the one reservation the Inspector had, leading to the latest appeal being dismissed. As such, your officers are now in a position to be able to recommend that the restrictive, reworded condition attached to application 2010/244/COU set out earlier in this report should be removed.

### **RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:**



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- 1) An unrestricted hot food takeaway use is permitted under the terms of this consent provided that the odour control details submitted as part of this application and as detailed on 'Extract and Ventilation System ref EQ1408-171' are fully implemented in full to the satisfaction of Worcestershire Regulatory Services prior to the first use of the premises for the frying of foods for consumption off the premises.

Reason: In order to provide an adequate means of odour control in the interests of protecting residential amenities in accordance with Policy E(TCR).12 of the Borough of Redditch Local Plan No.3

- 2) The development hereby approved shall be implemented in accordance with the following plans:

Site location plan, scale 1:1250; block plan scale 1:500;  
Drawing no: 002-BM0060 Revision B; supporting statement pages 1 to 3;  
Plan-IT Contracts Extract and Ventilation System ref EQ1408-171

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

**Informatives**

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.

**Procedural Matters**

All A5 use applications are automatically referred to Committee. In addition where the landowner is Redditch Borough Council such applications are reported to Committee as they fall outside the scheme of delegation. This application has also attracted two (or more) objections where the recommendation is that planning permission be granted.



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**Planning Application 2015/077/FUL****Side garage extension and enlarged front porch****43 Kenchester Close, Matchborough East, Redditch, Worcestershire, B98 0BT****Applicant: Mrs C Shinnie  
Expiry Date: 30th April 2015  
Ward: MATCHBOROUGH****(see additional papers for Site Plan)**

The author of this report is Jane Griffiths, Planning Officer (DM), who can be contacted on Tel: 01527 534062 Email: jane.griffiths@redditchbc.gov.uk for more information.

**Site Description**

43 Kenchester Close is situated within an urban area of Redditch. Kenchester Close consists of both semi-detached and detached properties which are predominantly two storey built in brick with some cladding to the front elevation.

This property was built during the growth of the New Town in the early 1970's.

**Proposal Description**

The proposal is for a single storey side extension to create a garage and an enlarged porch to the front elevation.

**Relevant Policies :****Borough of Redditch Local Plan No.3:**

BBE13 Qualities of Good Design  
BBE14 Alterations and Extensions

**Others:**

SPG Encouraging Good Design  
NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

**Relevant Planning History**

None

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### Consultations

None required

### Public Consultation Response

No letters of objection have been received.

### Assessment of Proposal

This application relates to a semi-detached property in a residential area where the principle of residential development is usually considered acceptable. The side extension would extend beyond the front of the property bringing it in line with the proposed porch.

The proposed extension would complement the host dwelling in terms of size, design and materials. Many properties along this street have similar front porches and flat roofed garages to the side, therefore the extension would not have an adverse impact on the street scene and would not affect the character of the local area.

The proposal by virtue of its siting and size would not have an adverse impact on neighbours' amenities in terms of loss of privacy, outlook or light, the proposal would comply with the 60 degree rule.

As such the proposed development complies with the provisions of the development plan and is considered acceptable.

This scheme has raised no other material planning issues and required no further negotiations or amendments. The proposal is therefore considered to be in compliance with policy and a sustainable form of development in accordance with the requirements of the National Planning Policy Framework.

Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.

### **RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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- 2) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. The development shall then be carried out in accordance with the approved details.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) The proposal shall be carried out as shown on the plans, schedules and other documents listed below;

Site Location plan, Scale 1:1250

Block plan, Scale 1:500

Existing and proposed floor plans and elevations, Scale 1:50, 1:100

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with Policy B (BE).13 of the Borough of Redditch Local Plan No. 3.

**Procedural matters**

This application is being reported to the Planning Committee because the applicant related to a member of staff of Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.



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**2015/099/COUPRO**

**Prior approval for change of use from offices (Class B1(a)) to residential (Class C3) to create 37 dwellings. (Not including the former Barclays GF or the Post Office elements of the building.)**

**Expiry Date: 24<sup>th</sup> May 2015**

**2015/100/FUL**

**Full planning permission for the change of use of the former Barclays (Class A2) to residential (Class C3) to create 5 dwellings; Infill rooftop development to create 4 residential units; External alterations to the whole building to facilitate residential conversion. (Not including the Post Office elements of the building.)**

**Expiry Date: 26<sup>th</sup> May 2015**

**Threadneedle House, Alcester Street, Redditch, Worcestershire, B98 8AJ**

**Applicant: Casper Developments Ltd  
Ward: ABBEY**

**(see additional papers for Site Plan)**

The author of this report is Ailith Rutt, Planning Officer (DM), who can be contacted on Tel: 01527 534064 Email: ailith.rutt@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site comprises a four storey commercial building erected in the early 1980s of red brick and brown mansard roof for use as offices, retail and other similar town centre uses. It is located within the pedestrianised part of the town opposite the town hall buildings. It is accessed at the rear by vehicles using Silver Street. To the northern end of the building is the Post Office, which would remain unchanged as part of these proposals. To the southern end of the premises at ground floor level was the old Barclays Bank unit, which vacated the building in 2010.

The property fronts onto Alcester Street where there are a mix of shopping and other leisure use units and also onto Walter Stranz Square adjacent to Fountain Passage and the link to the Kingfisher Centre.

**Proposal Description**

The applicants propose the redevelopment of the entire building except the element occupied by the Post Office, which it is envisaged will remain in use as such.

The proposal in its entirety is for the change of use of the premises and an extension on the rooftop between the existing service plant protrusions, to form 46 apartments (the

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whole building except for the element at the northern end at ground and first floor currently occupied by the Post Office). As shown below, some elements fall to be determined under the prior approval application and the remainder in the full application.

<i>Prior approval</i>			
	1 bed	2 bed	3 bed
Ground floor	1	5	
First floor	3	10	1
Second floor	3	11	
Third floor		1	2
<i>Planning application</i>			
	1 bed	2 bed	3 bed
Ground floor		5	
First floor			
Second floor			
Third floor	1	2	1
<b>Totals</b>	<b>8</b>	<b>34</b>	<b>4</b>

As shown above, 37 of these units relate to the application for prior approval and 9 of these units fall to be considered for full planning permission, as will be explained later in the report.

The figures in the table above are on the basis of the supporting information in the planning application and the detail on the floor plans. However, it is noted that some units include a study; whilst this room would not necessarily be marketed or used as such, the potential for it to be an extra bedroom exists, and would thus raise the situation to that shown in the table below:

<i>Prior approval (adjusted to include studies as bedrooms)</i>			
	1 bed	2 bed	3 bed
Ground floor	1	4	1
First floor	2	9	3
Second floor	3	11	
Third floor		1	2
<i>Planning application (adjusted to include studies as bedrooms)</i>			
	1 bed	2 bed	3 bed
Ground floor		4	1
First floor			
Second floor			
Third floor	1	2	1
<b>Totals</b>	<b>7</b>	<b>31</b>	<b>8</b>



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### Relevant Policies :

#### **Borough of Redditch Local Plan No.3:**

CS07 The Sustainable Location of Development  
 BBE13 Qualities of Good Design  
 BBE28 Waste Management  
 ETCR01 Vitality and Viability of the Town Centre  
 ETCR02 Town Centre Enhancement  
 ETCR05 Protection of the Retail Core  
 CT12 Parking Standards

#### **Emerging Borough of Redditch Local Plan No. 4**

Policy 2: Settlement Hierarchy  
 Policy 4: Housing Provision  
 Policy 5: Effective and Efficient use of Land  
 Policy 19: Sustainable travel and Accessibility  
 Policy 20: Transport Requirements for New Development  
 Policy 30: Town Centre and Retail Hierarchy  
 Policy 33: Use of Upper Floors  
 Policy: 39 Built environment  
 Policy: 40 High Quality Design and Safer Communities

#### **Others:**

NPPF National Planning Policy Framework  
 NPPG National Planning Practice Guidance  
 SPG Encouraging Good Design  
 SPD Designing for Community Safety

### Relevant Planning History

2015/009/S73	Removal of conditions to remove restriction on uses in Threadneedle House only: Condition 3 of 79/588 and conditions 2 and 4 of 80/272	Approved	12.02.2015
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### Consultations

#### **Community Safety Officer**

No Comments Received To Date

#### **Development Plans**

It is expected that residential units situated within a town centre location would reduce the need to travel and generate fewer trips by private car than if they were located outside of the town centre zone, given the proximity of shops and services and the convenience of sustainable transport options, such as the bus network and the train station, within a short walking distance.

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By introducing a further residential use this will contribute to a mixed use area whilst re-using existing floorspace. Furthermore, the provision of residential use in this area would increase the footfall to support leisure and entertainment uses and an evening economy, contributing to a thriving town centre.

In conclusion, the proposal would constitute an acceptable and needed use in the town centre location which would contribute to the vitality and viability of the area and the aims and visions of the Town Centre Strategy, the Town Centre policies of the Borough of Redditch Local Plan No.3 and No.4 and the NPPF.

### **Worcestershire Regulatory Services (Noise & Contaminated Land)**

No objection in relation to contaminated land

Noise discussions are on-going with the consultee and the agent and further information will be provided on the update

### **Highway Network Control**

No objection due to sustainable and accessible location, subject to conditions regarding travel plan and cycle parking/storage

### **Crime Risk Manager**

No Comments Received To Date

### **Public Rights Of Way**

No Comments Received To Date

### **Severn Trent Water Ltd**

No Comments Received To Date

### **Town Centre Co-ordinator**

I have no objection to the above application from a Town Centre Strategy perspective. Concerning marketing of the ground floor units and vacant units on Alcester Street, I have read the covering letter and note the following:

Pg. 7 refers to the property being marketed and lack of interest, it would be useful to have some clearer evidence as to how the property has been marketed i.e. through what means, for which uses and the option of the property being sub divided similar to what we have asked for on other sites in the past. In addition the information provided is incorrect; the only other vacant unit on Alcester Street at present is the Poundstretcher retail unit.

Ultimately though there is only one small reference in the strategy which is a recommendation to 'ensure that A3 uses are encouraged at ground floor level in new developments' therefore I think it would be difficult to refuse residential on these grounds.

### **Waste Management**

No Comments Received To Date

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**Public Consultation Response**

No responses received

**Background/explanation**

At the time that the applications were submitted, the elements of Threadneedle House that were previously used as Class B1(a) offices, which are those in the central portion of the ground floor and all of the existing upper floors, benefitted from the recently introduced permitted development rights to convert to residential. As such, a prior approval application has to be made to ascertain whether certain matters need to be dealt with fully, however the principle of the development is accepted in the legislation and thus established. The prior approval application reported here is such an application. Any external changes that are required in connection with such a change of use require full planning permission.

However, the change of use of the Barclays element fell outside of this provision as this was last a class A2 use. In the recently introduced legislation (15<sup>th</sup> April 2105) there is now a provision whereby A2 uses can change to residential (C3) through a prior approval application rather than needing an application for full planning permission, but only where the floorspace is less than 150m<sup>2</sup>; in this case though, the floorspace is 387m<sup>2</sup> and so full planning permission is still required for this element of this development.

The extension on the roof to create 4 residential units requires full planning permission.

Therefore, the 9 units created on the roof and in the former Barclays Bank require full planning permission, along with the physical alterations to the external appearance of the building required in connection with the change of use considered under the prior approval application.

**Assessment of Proposal****Prior Approval Application assessment:**

The legislation indicates that the change of use proposed here should be considered to be acceptable in principle, but requires that the following matters are taken into account. Officers can confirm that the pre-requisites for applying this legislation are met in this case.

**Transport and highway impacts of the development**

The proposal is in a town centre location where there are many sustainable transport alternatives and where there are many facilities and services in close proximity to the site. The existing parking and access arrangements would be maintained and as such these are considered to be acceptable. Therefore it is not considered necessary to seek any further information or control over these matters.

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### Contamination risks on the site

The proposal is to reuse an existing building and there are no proposals to make any ground surface changes. As such, it is not considered that the proposal would be likely to result in any increased risk of contamination and as such it is considered to be acceptable in this regard.

### Flooding risks on the site

The proposed change of use and associated works covered by the planning application do not result in any additional areas of hard surface and as such it is not considered that the proposal would result in any change to the existing method of dealing with rainwater and thus it is not considered that any flood mitigation measures would be required in this case. Further, it is also not considered that the proposal would increase any potential risk of flooding for the same reasons. Therefore, it is not considered that any further information is required to be dealt with in this case.

It is therefore considered that the prior approval of further details is not required in this case.

### **2015/099/COUPRO**

#### **PRIOR APPROVAL RECOMMENDATION:**

**The prior approval of further details is NOT REQUIRED.**

#### **Planning Application assessment:**

Within the town centre, policies seek to promote a range of uses that contribute to a vibrant economy and that do not result in poor relationships between differing uses. Thus it is often encouraged to have residential accommodation above shop units.

The principle of residential accommodation in this location is considered to be acceptable on this basis; it would be unlikely to result in un-neighbourly impacts caused by the residential units and any future occupiers would be aware of the surrounding town centre uses and the benefits that having such services and facilities in such close proximity can provide. Other residential units above shops exist in this area of the town centre without harm to amenity and it would be no different in this case.

Whilst the town centre strategy document that is being compiled (ready for future adoption) demonstrates a preference for A class (retail/café/pub/takeaway) uses at ground floor level, the applicants have submitted supporting information demonstrating that it has not been possible to secure such uses at ground floor level and it is therefore considered that its use for residential purposes would be preferable to its remaining vacant and can be supported in principle in policy terms. Further, the recent change in permitted development noted above could be used for part of this change of use anyway and as such there is an element of fallback position to be considered.

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The site lies within the town centre and outside any other designated areas. It is close to the Conservation Area and at approximately 5 minutes' walk from the bus and train stations and less to the major town centre and peripheral zone retail offer; it is considered to be very well serviced and thus very sustainable as all these facilities can be accessed without the need for private transport.

### Parking and highways

The applicant proposes that 20 of the units would benefit from a designated parking space to the rear of the building, with the remaining units being given a discounted rate on parking at the Kingfisher Centre car park 2; again, a short walk from the site. The parking and access arrangements for the premises are already in existence and it is anticipated that vehicular demand would reduce as a result of this proposal relative to the previous office and professional services uses. It is also noted that across the town as a whole, car ownership amongst those living in flats is quite low and therefore it is anticipated that such a trend would continue in this location such that this would be sufficient. It is therefore considered that in such a sustainable location and given the local evidence, it would not be necessary to provide the full required quotient of parking in this instance. The applicant proposes to provide secure cycle storage in the basement of the building, but this is not shown on the plans and so it is considered appropriate to require such provision through the imposition of a condition as the location of this site lends itself to a higher use of bicycles relative to more remote locations. It is considered appropriate, however, to require the provision of secure cycle storage in this location and to publicise the locally available cycling routes to the new occupiers, and conditions are recommended accordingly.

### Design and appearance

The application proposes the smartening of the exterior of the premises through the use of render infill panels which would accentuate the existing design features of the building and make it more attractive in the streetscene. The additional built form at roof level is considered to be sympathetic to the existing design and materials of the building as well as subordinate as it has been kept below the overall height of the existing premises. As such, the roofscape of the town centre maintains uninterrupted views across towards the Conservation Area and to St Stephen's Church.

At ground floor level, the current semi-covered walkway that is open to the public would be enclosed to allow for security and for privacy. No public thoroughfares would be blocked as there are alternative pedestrian routes in all cases. The enclosure would be of toughened glass in order that no further light was blocked from the ground floor apartment windows on the eastern side. The existing entrance would be made more of a feature of the premises, with railings and steps leading to the main entrance area, which would be entry-controlled for safety reasons.

Whilst the flats to the east of the building would look out towards the bars, shops and clubs opposite it is not considered that this of itself would prejudice any privacy for residents due to the distance and levels involved.

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There is no external space available around the premises for private recreation or amenity, however many of the flats would benefit from external balconies that are quite substantial in size and thus would have the opportunity of drying washing and sitting outside. However, in order to preserve the visual amenity of the area and protect privacy, it is recommended that some rights to erect larger structures be removed. Communal waste management facilities would be provided rather than external separate bin storage areas, within the communal elements of the building. This is considered to be acceptable and not an uncommon situation for blocks of flats.

### Noise

The application is accompanied by a noise survey which seeks to demonstrate both that the existing noise creators around the site would not cause significant disturbance to residents on this site and that the residential use of Threadneedle House would not result in inconvenience or disturbance to other surrounding occupiers or curtail their current lawful activities. Further details in relation to noise will be provided on the update paper.

### Other matters

Community safety measures have been put in place to ensure the safety and security of future residents to the satisfaction of the relevant officer.

Due to the size of the proposed development being considered under the planning application, it falls below the thresholds for seeking affordable housing or contributions towards wider infrastructure for the town.

### Conclusion

It is considered to be an appropriate location for this use and a design that is well suited to the site and its surroundings such that it can be supported. It complies with the relevant policy framework and there is not considered to be any harm likely to be caused as a result of the development.

### **2015/100/FUL**

#### **PLANNING APPLICATION RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions and informatives:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be implemented in accordance with the following plans:

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R1016-000 R1 Existing ground floor plan  
 R1016-001 R1 Existing first floor plan  
 R1016-002 R1 Existing second floor plan  
 R1016-003 R1 Existing third floor plan  
 R1016-010 R1 Existing third floor plan  
 R1016-011 R1 Existing elevations  
 R1016-090 R1 Existing site plan  
 R1016-091 R1 Proposed site plan  
 R1016-140 R1 Proposed ground floor plan  
 R1016-141 R1 Proposed first floor plan  
 R1016-142 R1 Proposed second floor plan  
 R1016-143 R1 Proposed third floor plan  
 R1016-200 R1 Proposed NE elevations  
 R1016-201 R1 Proposed SE elevations  
 R1016-202 R1 Proposed SW elevations  
 R1016-203 R1 Proposed NW elevations

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 3) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to their installation. The development shall then be carried out in accordance with the approved details. The additional render infill patterns shall be of a colour agreed with the Local Planning Authority and thereafter retained as such for the lifetime of the development.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 4) Prior to the occupation of the development hereby approved a sustainable travel plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details, which can be reviewed and varied if agreed by both parties as necessary from time to time. The details shall include how the units are to be marketed and details of any information to be provided prior to their occupation.

Reason: In the interests of sustainable travel and in accordance with Policies 19 and 20 of the emerging Borough of Redditch Local Plan No.4 and the NPPF.

- 5) Prior to the first occupation of any unit of residential accommodation hereby approved, details of secure cycle parking provision for that unit shall be submitted

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to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with these details and the provision for each flat shall be available to its occupier(s) prior to first occupation and thereafter maintained for the lifetime of the development. The provision will include a minimum of 2 spaces per unit, policies wherever possible and if not, a justification shall be included with the submitted details for the proposed reduction.

Reason: In the interests of sustainable travel and in accordance with Policies 19 and 20 of the emerging Borough of Redditch Local Plan No.4 and the NPPF.

- 6) Prior to the occupation of the units hereby approved, the glazed screening and a secure entry method shall be installed on site in order to maintain the security of any residents of the building and make a clear physical separation between external public and private space as shown on *plan (reference to be inserted here)*.

Reason: In the interests of safety and security and in accordance with Policies S1 and B(BE)13 of the Borough of Redditch Local Plan No.3, Policies 39 and 40 of the emerging Borough of Redditch Local Plan No.4 and the NPPF.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 2, Classes A, C and F, Part 14 Classes A-I and Part 16 Classes A and C shall be carried out without first making an application for planning permission and gaining consent. Any development shall thus be implemented in accordance with the consent given.

Reason:-To maintain the open layout and visual characteristics of the street scene by preventing visual clutter in external spaces and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3, Policies 33 and 39 of the Borough of Redditch Local Plan No.4 and the NPPF.

**Informatives**

- 1) The applicants and the LPA have worked together to reach an acceptable scheme in this case in order to ensure that

**Procedural matters**

This application is being reported to the Planning Committee because the land owner is Redditch Borough Council. As such the application falls outside the scheme of delegation to Officers.